

COURT OF APPEAL OF STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE

March 12, 2001

Court convened at 9:00 a.m.

Present: The Honorable Daniel Kremer, Presiding Justice, and The Honorable Associate Justices
Richard Huffman and Judith Haller
Deputy Clerk: D. E. Moore

D036025 Ho v. Punsly et al.

Cause called on merits. Charles A. Bird, Esq. argued for appellant. Thomas Dunlap, Esq. argued for respondent. Mr. Bird replied for appellant. Cause submitted.

D034597 People v. Harris

Cause called on merits. Neil Rosenbaum, Esq. argued for appellant. Steve Oetting, Deputy Attorney General argued for respondent. Mr. Rosenbaum replied for appellant. Cause submitted.

D035958 Snyder v. Snyder et al.

Cause called on merits. Sharron Voorhees, Esq. argued for appellant. Stephen J. Fitch, Esq. argued for respondent, Penny Lou Snyder. Ms. Voorhees replied for appellant. Cause submitted.

Court recessed at 10:25 a.m. to change panel members. New panel members: The Honorable Daniel Kremer, Presiding Justice, and The Honorable Associate Justices Richard Huffman and Gilbert Nares

D035258 Armenta v. Baxter Healthcare, Inc, et al.

Cause called on merits. Peter H. Crossin, Esq. argued for appellant, Armenta. James Martin, Esq. argued for respondent, Baxter Healthcare Corporation. Regina Petty, Esq. argued for respondent, Johnson & Johnson Medical. Mr. Crossin replied for appellant. Cause submitted.

D035891 Currie v. City of San Diego et al.

Cause called on merits. James Bruce Henderson, Esq. argued for appellant. Charles A. Bird, Esq. argued for respondent, City of San Diego. Kathryn Karcher, Esq., argued for Padres LP. Mr. Henderson replied for appellant. Cause submitted.

Court recessed at 11:30 a.m. until 1:30 p.m.

Court reconvened at 1:30 p.m.

Present: The Honorable Daniel Kremer, Presiding Justice, and The Honorable Associate Justices Patricia Benke and Terry O'Rourke
Deputy Clerk: D. E. Moore

D035737 In re Jade D. et al.

Cause called on merits. Richard Pfeiffer, Esq. argued for appellant, Helvisha D. Alice C. Shotton, Esq. argued for appellant, Melvin D. Julie E. Braden, Esq. argued for the minors. Patrice Plattner-Grainger, Deputy County Counsel argued for respondent. Mr. Pfeiffer replied. Ms. Shotton replied. Cause submitted.

COURT OF APPEAL OF STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE

March 12, 2001 (Continued)

Court recessed at 1:45 p.m. to change panel members. New panel members: The Honorable Daniel Kremer, Presiding Justice, and The Honorable Associate Justices Patricia Benke and Judith Haller

D034912 In re Ronald H., a Juvenile

Cause called on merits. Daniel H. Clifford, Esq. argued for appellant. Dina Thompson, Certified Law Student for Attorney General's office argued for respondent. Mr. Clifford replied for appellant. Cause submitted.

D035350 McKenna et al. v. USAA Insurance Company

Cause called on merits. Patrick E. Catalano, Esq. argued for appellant. Douglas F. Walters, Esq. argued for respondent. Mr. Catalano replied for appellant. Cause submitted.

D036817 Nelson v. Nelson

Cause called on merits. Nancy Bennett Bunn, Esq. argued for appellant. Suanne I. Honey, Esq. argued for respondent. Ms. Bunn replied for appellant. Cause submitted.

Court recessed at 2:50 p.m. to change panel members. New panel members: The Honorable Daniel Kremer, Presiding Justice, and The Honorable Associate Justices Judith Haller and Alex McDonald

D036107 Barker v. Brown and Williamson Tobacco Corporation

Cause called on merits. Larry Barker, argued for appellant in pro per. Hall Marston, Esq. argued for respondent. Mr. Barker replied. Cause submitted.

Court recessed at 3:15 p.m. until Tuesday, March 13, 2001 at 9:00 a.m.

D035994 Miller v. Richman Management Corporation, dba Hertitage Security Services et al.

The judgment is reversed as to Richman only and the matter is remanded to the superior court, which is directed to dismiss the action with prejudice as to Richman only. The remittitur shall issue immediately. Each party shall bear its own costs on appeal. The stay of the preparation of the appellate record filed January 23, 2001, is vacated.

D032831 Stewart Title Guaranty Company v. E. T. Legg and Associates

Upon further consideration, the court has determined this case need not be considered with Richard B. Hicks v. E. T. Legg & Associates, D034398. Accordingly, the case is submitted on this date. Work, Acting P.J.

D035761 People v. Vaques

The judgment is affirmed. Huffman, Acting P.J.; We Concur: McDonald, J., O'Rourke, J.

D037501 Hasso v. Superior Court of San Diego County/Mozsgai et al.

The petition is denied.

D036892 United Riggers and Erectors, Inc. v. W.C.A.B.

The petition is denied.

COURT OF APPEAL OF STATE OF CALIFORNIA
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DIVISION ONE

March 12, 2001 (Continued)

D036936 In re Baumer on Habeas Corpus
The petition is denied.

COURT OF APPEAL OF STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE

March 13, 2001

Court convened at 9:00 a.m.

Present: The Honorable Daniel Kremer, Presiding Justice, and The Honorable Associate Justices Patricia Benke and Judith Haller
Deputy Clerk: D. E. Moore

D034381 People v. Raskhamdee

Cause called on merits. Lynda A. Romero, Esq. argued for appellant. Warren Robinson, Deputy Attorney General argued for respondent. Cause submitted.

D034632 People v. Labaer

Cause called on merits. Joel Liberson, Esq. argued for appellant. Marvin Mizell, Deputy Attorney General argued for respondent. Mr. Liberson replied for appellant. Cause submitted.

Court recessed at 9:50 a.m. to change panel members. New panel members: The Honorable Daniel Kremer, Presiding Justice, and The Honorable Associate Justices Richard Huffman and Judith Haller

D034520 People v. Bailey

Cause called on merits. Joel Liberson, Esq. argued for appellant. Megan Beale, Deputy Attorney General argued for respondent. Mr. Liberson replied for appellant. Cause submitted.

D036822 White v. State of California et al.

Cause called on merits. Richard Isaac Fine, Esq. argued for appellant. Bruce Scott Bennett, Esq. argued for respondent. Mr. Fine replied for appellant. Cause submitted.

D036859 A. D. Hills v. Professional Vehicle Leasing

Cause called on merits. Sylvia L. Paoli, Esq. argued for appellant. No appearance by respondent's counsel. Cause submitted.

Court recessed at 10:40 a.m. until 1:30 p.m.

D036426 Del Cero Mobile Estates v. Proffer

The opinion filed February 26, 2001, is ordered certified for publication.

D034934 Furstenfeld v. Steele Canyon Estates Homeowners Association et al.

The appeal is dismissed. The parties shall bear their own costs on appeal. McDonald, J.;
We Concur: Benke, Acting P.J., Nares, J.

D037205 Mary A. v. Superior Court of San Diego County/San Diego County Health and Human Services Agency.

The attorney for petitioner Mary A. has notified the court on behalf of the petitioner that a Petition for Writ of Mandate under Rule 39.1B will not be filed as there are no viable issues for writ review. The case is dismissed.

COURT OF APPEAL OF STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE

March 13, 2001 (Continued)

D037226 Farr v. Superior Court of San Diego County (In Re: Petition for Change of Name)
No docketing statement and copy of a judgment having been filed with this court, the appeal is dismissed.

D037379 Calfarm Insurance Company v. Superior Court of San Diego County/Murray et al.
The petition is denied.

D035171 People v. Mitchell
The judgment is affirmed. Huffman, J.; We Concur: Kremer, P.J., McIntyre, J.

Court reconvened at 1:30 p.m.

Present: The Honorable Daniel Kremer, Presiding Justice, and The Honorable Associate Justices Patricia Benke and Richard Huffman
Deputy Clerk: D. E. Moore

D036523 Herring v. Adams et al.
Cause called on merits. Glenn Karl Gilsleider, Esq. argued for appellant/cross-respondent. Kim John Cabodi, Esq. argued for respondent/cross-appellant. Mr. Gilsleider replied for appellant/cross-respondent. Kenneth J. Crede, Esq. was present in oral argument for respondent/cross-appellant, but did not argue. Cause submitted.

D036849 Trice v. Orange County Sheriff-Coroner Dept.
Cause called on merits. Robert Thomas Olmos, Esq. argued for appellant. William Leo Haluck, Esq. argued for respondent. Mr. Olmos replied for appellant. Cause submitted.

D036826 Kane et al. v. National Ski Patrol System, Inc.
Cause called on merits. Steven R. Parminter, Esq. argued for appellant. H. Thomas Hicks, Esq. argued for respondent. Mr. Parminter replied for appellant. Cause submitted.

D035868 Industrial Design Laboratories, Inc. v. Popov and McCullogh et al.
Cause called on merits. Thanisi Preovolos, Esq. argued for appellant. Jeffrey Evans, Esq. argued for respondent. Mr. Preovolos replied for appellant. Cause submitted.

D035692 Hall v. Titan Power, Inc.
Cause called on merits. William Bull, Esq. argued for appellant. Jeffrey T. Wilson, Esq. argued for respondent. Mr. Bull replied for appellant. Cause submitted.

Court recessed at 3:20 p.m. until Wednesday, March 14, 2001 at 9:00 a.m.

D034285 People v. Protsman
The judgment is affirmed. McIntyre, J.; We Concur: Huffman, Acting P.J., O'Rourke, J.

COURT OF APPEAL OF STATE OF CALIFORNIA
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DIVISION ONE

March 13, 2001 (Continued)

D037105 In re Carpenter on Habeas Corpus

The petition is denied.

D036516 Kellogg v. Home Base et al.

New trial order reversed; judgment affirmed. Each party to bear its own costs. Huffman, Acting P.J.;
We Concur: Nares, J., McIntyre, J.

D036528 Rexroad v. Farmers Insurance Exchange et al.

The judgments and order appealed from are affirmed. Sanctions in the amount of \$10,000 for Farmers
and \$6,000 for Morgan are awarded against Rexroad. Rexroad will also bear the costs on this appeal.
Huffman, Acting P.J.; We Concur: McIntyre, J., O'Rourke, J.

D033928 People v. Mendoza

The judgment is modified to strike the direct restitution fine of \$460 and as so modified, is affirmed. The
trial court is directed to amend the abstract of judgment to reflect this modification and to forward a
certified copy of the amended abstract to the Department of Corrections. (1213, 1216.)
Huffman, Acting P.J.; We Concur: Nares, J., O'Rourke, J.

D037355 Hulett, as Trustee, etc., et al. v. Stadler

Pursuant to California Rules of Court, rule 10(c), the appeal filed January 16, 2001, is DISMISSED for
appellant's failure to timely designate the record (Cal. Rules of Court, rules 4(a) and 5(a)).

D037423 Amanatskiy v. Davis

The appellant having failed to timely pay the filing fee, the appeal is DISMISSED. (Cal. Rules of Court,
rule 1(c) and 10(a).)

COURT OF APPEAL OF STATE OF CALIFORNIA
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DIVISION ONE

March 14, 2001

D035474 STV Corporation, Inc. et al. v. Robert Blair Krueger II et al.

The appeal is dismissed. The parties are to bear their own costs on appeal. McDonald, J.;
We Concur: Nares, Acting P.J., McIntyre, J.

D036524 People v. Trinh

The conviction of carjacking and its related stayed sentence is reversed. In all other respects the judgment is affirmed. The Superior Court is directed to amend the abstract of judgment and to forward the corrected abstract of judgment to the Department of Corrections. Work, Acting P.J.;
We Concur: Benke, J., McIntyre, J.

Court convened at 9:00 a.m.

Present: The Honorable Patricia Benke, Acting Presiding Justice, and The Honorable Associate Justices Judith Haller and James McIntyre
Deputy Clerk: D. E. Moore

D036848 Gronotte v. Everakes

Cause called on merits. Joseph D. McNeil, Esq. argued for respondent. Allan Brown, Esq. argued for appellant. Mr. McNeil replied for respondent. Cause submitted.

D036804 Blaine v. Katten, Muchin, Zavis & Weitzman

Cause called on merits. Roy Girard, Esq. argued for appellant. John Sheller, Esq. argued for respondent, Katten Muchin. Mr. Girard replied for appellant. Cause submitted.

Court recessed at 9:30 a.m. to change panel members. New panel members: The Honorable Gilbert Nares, Acting Presiding Justice, and The Honorable Associate Justices Judith Haller and James McIntyre

D036857 Republic Leasing Company v. Dimension Funding, Inc.

Cause called on merits. Katherine Kay Freberg, Esq. argued for appellant. Joseph Galosic, Esq. argued for respondent. Ms. Freberg replied for appellant. Cause submitted.

D035665 State of California, Department of Rehabilitation, etc. v. WCAB/Lauher-RPI

Matter called on merits. David Masami Goi, Esq. argued for petitioner. Robert D. Baker, Esq. argued for respondent, Lauher. Mr. Goi replied for petitioner. Mr. Baker replied for respondent. Mr. Goi replied. Matter to be submitted at a later date.

Court recessed at 11:05 a.m. until 1:30 p.m.

D037534 Hadley, as Special Administrator, etc., et al. v. LeBeau/Dunavan

Appellant's notice of appeal states he is appealing from a contempt order and from a hearing on March 3, 2001. A contempt order is not appealable (Code of Civil Procedures section 904.1 (a)(1)(B)). In that there is no ruling yet from the March 3, 2001 hearing, appeal is premature. The appeal is dismissed.

COURT OF APPEAL OF STATE OF CALIFORNIA
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DIVISION ONE

March 14, 2001 (continued)

D036914 Marin v. Household Finance Corporation

Request for Permission to Appeal received by this court on January 22, 2001, is denied. (Code of Civ. Proc., section 391.7(b)). The appeal filed with the Superior Court on November 21, 2000 is dismissed.

D037519 Rolando G. v. Superior Court of San Diego County/San Diego County Health and Human Services Agency,

The notice of intent to file writ petition and request for record, rule 39.1B, filed March 2, 2001 is dismissed as untimely.

D032752 Piscitelli v. Friedenber

The judgment is reversed. Friedenber is to recover his costs on appeal. CERTIFIED FOR PUBLICATION. O'Rourke, J.; We Concur: Benke, Acting P.J., McIntyre, J.

D037442 In re Marriage of Barber

Pursuant to California Rules of Court, rule 10c, the appeal filed February 2, 2001 is dismissed.

D032831 Stewart Title Guaranty Company v. E.T. Legg and Associates

The appeal is dismissed. Benke, J.; We Concur: Work, Acting P.J., McDonald, J.

D037283 Graciela V. v. Superior Court of San Diego County/San Diego County Health and Human Services Agency

The attorney for petitioner Graciela V. has notified the court on behalf of the petitioner that a Petition for Writ of Mandate under Rule 39.1B will not be filed as there are no viable issues for writ review. The case is dismissed.

D037107 Western Referral, Inc. v. Public Utilities Commission of the State of California/Los Angeles Police Department et al.

The petition is denied.

Court reconvened at 1:30 p.m.

Present: The Honorable Gilbert Nares, Acting Presiding Justice, and The Honorable Associate Justices Alex McDonald and Terry O'Rourke

Deputy Clerk: D. E. Moore

D036868 Summit Financial Holdings, Ltd. v. Continental Lawyers Title Company

Cause called on merits. Marc Eliot Rohatiner, Esq. argued for appellant. Jim P. Mahacek, Esq. argued for respondent. Mr. Rohatiner replied for appellant. Cause submitted.

D036829 Elisalda v. Univision Network Limited Partnership

Cause called on merits. Geoffrey Cleveland Lyon, Esq. argued for appellant. Kelli Lee Sager, Esq. argued for respondent. Mr. Lyon replied for appellant. Cause submitted.

COURT OF APPEAL OF STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE

March 14, 2001 (Continued)

D034959 Braunstein v. Apple Computer, Inc. et al.

Cause called on merits. Philip H. Stillman, Esq. argued for appellant. Mark Charles Holscher, Esq. argued for appellant. Mr. Stillman replied for appellant. Cause submitted.

Court recessed at 2:51 p.m. to change panel members. New panel members: The Honorable Gilbert Nares, Acting Presiding Justice, and The Honorable Associate Justices James McIntyre and Terry O'Rourke

D036834 Squyres v. Gateway Title Company

Cause called on merits. Terrance O'Malley, Esq. argued for appellant. Richard Anthony Derevan, Esq. argued for respondent. Mr. O'Malley replied for appellant. Cause submitted.

D036828 Orr v. The Vons Companies, Inc.

Cause called on merits. Michael Allen Brewer, Esq. was present in oral argument for appellant. Timothy Joseph Stafford, Esq. was present in oral argument for respondent. Cause submitted.

Court recessed at 3:35 p.m. until Thursday, March 15, 2001 at 9:00 a.m.

D036579 In re Terry A., a Juvenile

Judgment affirmed. Benke, Acting P.J.; We Concur: Nares, J., McDonald, J.

D036335 In re Melina G., a Juvenile

The judgment is affirmed. Huffman, J.; We Concur: Benke, P.J., Haller, J.

D036945 In re Kayla Joanna C. et al., Juveniles

Appellant has failed to file a brief after notice given pursuant to California Rules of Court, rule 17(a). The appeal is DISMISSED.

COURT OF APPEAL OF STATE OF CALIFORNIA
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DIVISION ONE

March 15, 2001

D036174 In re Brittany H., a Juvenile

The order is affirmed. Haller, J.; We Concur: Kremer, P.J., Benke, J.

D033721 People v. Hines

The judgment is affirmed. Kremer, P.J.; We Concur: Nares, J., Haller, J.

D036418 People v. Cortes

The judgment is modified to provide that Cortes is entitled to 506 days of credit for actual local time in custody and 253 days for local conduct credits for a total of 759 days credit. The trial court is directed to submit an amended abstract of judgment to the Department of Corrections. As so modified, the judgment is affirmed. Work, Acting P.J.; We Concur: Benke, J., O'Rourke, J.

Court convened at 9:00 a.m.

Present: The Honorable Alex McDonald, Acting Presiding Justice, and The Honorable Associate Justices James McIntyre and Terry O'Rourke

Deputy Clerk: D. E. Moore

D036825 Chavez v. Food 4 Less Supermarkets, Inc. et al.

Cause called on merits. Robert Pike, Esq. argued for appellant. Larry DiPiento, Esq. argued for respondent, Food 4 Less. Roger Lee Bellows, Esq. argued for respondent, Maxson. Sarah Winn Yoseloff, Esq. argued for respondent, G H V Refrigeration, Inc. Mr. Pike replied for appellant. Cause submitted.

D036813 Palosaari et al. v. Sukoff et al.

Cause called on merits. John D. Rowell, Esq. argued for appellant. Nancy Zeltzer, Esq. argued for respondent. Mr. Rowell replied for appellant. Mr. Rowell withdrew his motion to stay appeal in open court. Cause submitted.

D036844 Lowe v. Specialty Restaurants, et al.

Cause called on merits. Marie Alex, Esq. argued for appellant. Richard Anthony Derevan, Esq. argued for respondent. Ms. Alex replied for appellant. Cause submitted.

Court recessed at 10 a.m. to change panel members. New panel members: The Honorable Gilbert Nares, Acting Presiding Justice, and The Honorable Associate Justices Alex McDonald and Terry O'Rourke

D034746 People v. Ford

Cause called on merits. Gary E. Nelson, Esq. argued for appellant. Anthony DaSilva, Deputy Attorney General argued for respondent. Mr. Nelson replied for appellant. Cause submitted.

D036800 Parkgate Center LLC et al. v. Mraz

Cause called on merits. Jim Travis Tice, Esq. argued for appellant. Landon Gates Mustell, Esq. argued for respondent. Mr. Tice replied for appellant. Cause submitted.

Court recessed at 10:50 a.m. until 1:30 p.m.

COURT OF APPEAL OF STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE

March 15, 2001 (Continued)

D035752 People v. Turner

The request for publication is denied.

D037504 In re Aguilar on Habeas Corpus

The petition for writ of habeas corpus In re Aguilar D037504, will be considered at the same time as the pending appeal, People v. Aguilar, D034652.

D037077 Franklin v. Superior Court of San Diego County/Macomber

The petition is denied.

D037017 In re Williams on Habeas Corpus

The petition is denied.

Court reconvened at 1:30 p.m.

Present: The Honorable Gilbert Nares, Acting Presiding Justice, and The Honorable Associate Justices Alex McDonald and James McIntyre

Deputy Clerk: D. E. Moore

D036801 McCann v. M T M Corporation

Cause called on merits. Brian C. Unitt, Esq. argued for appellant. Paul Kevin Wood, Esq. argued for respondent. Mr. Unitt replied for appellant. Cause submitted.

D036855 Kelley v. Farmers Insurance Company

Cause called on merits. Frederick Eugene Turner, Esq. argued for appellant. Mark Schaeffer, Esq. argued for respondent. Mr. Turner replied for appellant. Cause submitted.

D036802 Martin v. Martin

Cause called on merits. Kristen Marie Martin, Esq. argued for appellant. Mark Andrew Hewitt, Esq. argued for respondent. Ms. Martin replied for appellant. Cause submitted.

D034756 Kohne v. Amoco Corporation et al.

Cause called on merits. Charles A. Bird, Esq. argued for appellant. Thomas F. Ryan, Esq. argued for respondent. Mr. Bird replied for appellant. Cause submitted.

D034700 Greater Perris Valley Industrial Association et al. v. County of Riverside et al.

Cause called on merits. Chris Garrett, Esq. argued for appellant/cross-respondent. Henry E. Heater, Esq. argued for respondent/cross-appellant. Mr. Garrett replied. Cause submitted.

D036839 Foreclosure Consultants, Inc. v. Arizona Public Service Company et al.

Cause called on merits. Thomas Hood, Esq. argued for appellant. Jay Frederick Stocker, Esq. argued for respondent (telephonically.) Mr. Hood replied for appellant. Cause submitted.

Court adjourned at 3:30 p.m.

COURT OF APPEAL OF STATE OF CALIFORNIA
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March 15, 2001 (Continued)

D037606 People v. Superior Court of San Diego County/Parker

The petition is denied.

D036306 In re Phillip Y. et al., Juveniles

The judgment is affirmed. Benke, Acting P.J.; We Concur: McDonald, J., McIntyre, J.

D036346 Drake v. Superior Court of San Diego County/City of Vista

Drake's petition for writ of mandate is granted for the limited purpose of restoring the matter to the jurisdiction of the superior court, which is directed to dismiss the action as moot. The parties shall bear their own costs in this writ proceeding. McDonald, J.; I Concur: Haller, J.; I Dissent: Huffman, A.P.J. (opinion)

COURT OF APPEAL OF STATE OF CALIFORNIA
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DIVISION ONE

March 16, 2001

D036509 People v. Palacios

We modify the judgment by staying the sentence imposed on count 2 and the related enhancements pursuant to Penal Code section 654. The trial court is directed to modify the abstract of judgment accordingly and forward the abstract of judgment to the Department of Corrections. We affirm the judgment, as modified. McIntyre, J.; We Concur: Huffman, Acting P.J., Nares, J.

D037569 Raja v. Superior Court of San Diego County/People

The petition is denied.

D037496 Universal v. Superior Court of San Diego County/Williams et al.

The petition is denied.

D036281 In re Conservatorship of Jackson

The opinion filed on February 20, 2001, is modified. There is no change in judgment. The petition for rehearing is denied.

D035642 People v. Glover

Judgment affirmed. O'Rourke, J.; We Concur: Kremer, P.J., Huffman, J.

D034912 In re Ronald H., a Juvenile

The juvenile court's orders are affirmed. Kremer, P.J.; We Concur: Benke, J., Haller, J.

D036000 San Diego Trolley, Inc. et al. v. Superior Court of San Diego County/Kinder

The petition for a writ of mandate is granted and the trial court is directed to vacate its discovery order and enter a new order consistent with the views expressed herein. CERTIFIED FOR PUBLICATION. Benke, J.; We Concur: Kremer, P.J., Nares, J.

D036163 People v. Polangco

Judgment affirmed. Huffman, J.; We Concur: Kremer, P.J., O'Rourke, J.

D036859 Hills v. RIT Auto Leasing Group, Inc. et al.

Affirmed. RIT to recover costs on appeal. Haller, J.; We Concur: Kremer, P.J., Huffman, J.

D036025 Punsly et al. v. Ho

The judgment is reversed, and the matter is remanded to the trial court with directions to vacate its order granting the Punslys' request for a visitation schedule, and to enter a new order denying that request. Given the Punslys' concession on the petition for writ of supersedeas, the visitation schedule shall be stayed immediately. The Punslys shall pay Manwah's costs on appeal. CERTIFIED FOR PUBLICATION. Huffman, J.; We Concur: Kremer, P.J., Haller, J.

D034863 In re Huffman on Habeas Corpus

The petition is therefore denied.

COURT OF APPEAL OF STATE OF CALIFORNIA
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DIVISION ONE

March 16, 2001 (Continued)

D034381 People v. Rasakhamdee

Judgment reversed and remanded for a new trial. Haller, J.: We Concur: Kremer, P.J., Benke, J.

D034946 People v. Huffman

The appeal is dismissed as moot. Huffman, J.; We Concur: Kremer, P.J., Haller, J.

D034838 People v. Adams et al.

The trial court imposed Penal Code section 368, subdivision (b)(3), enhancements to appellant Michael Delano Adam's sentences for murder and appellant Byron Jae Peterson's sentence for involuntary manslaughter. The court requests the parties file letter briefs discussing whether section 368, subdivision (b)(2), (3), enhancements may be applied to any crime or only to the crime defined in section 368, subdivision (b)(1). In discussing the question the parties should make reference to legislative intent. The letter briefs should be filed on or before April 23, 2001. The order of March 2, 2001 placing the above-entitled matter on calendar for Tuesday, April 10, 2001 at 9:00 a.m. is vacated. Oral argument will be calendared upon receipt of the requested letter briefs. The clerk of the court will notify all parties of the new date and time. Kremer, P.J.

D037498 Brown et al. v. Superior Court of San Diego County/People

The petition is denied.